

Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

### **The New Grounds of Rejection are Unfounded**

The Applicants respectfully submit that the Examiner's new grounds of rejection are no different from the grounds of rejection stated in the Office Action of April 8, 2002 (paper no. 7).

The new basis for rejection appears to be simply combination of Terui with Suzuki, Bergeron, and Salazar, rather than Barker combined with Suzuki, Bergeron, and Salazar. Thus the Examiner has simply substituted the teachings of Barker with the teachings of Terui. Yet Terui (like Barker and the other cited references) simply fails to teach the aspects of the claimed invention as pointed out in the previous response.

The Applicants note that during the telephone interview on June 11, 2002, the Examiner conceded that the invention was novel and non-obvious over the art of record. The addition of Terui adds nothing of importance to the art of record. Instead, the Examiner appears to have relied on different parts of Suzuki in support of his new rejections. However, Suzuki simply does not teach or suggest automatically routing voice data files (or any other kind of files) on the basis of information contained in those files' headers. Nor does Terui, Barker, Bergeron, or Salazar teach this aspect of the invention.

The Applicants thus respectfully submit that the Barker/Suzuki combination fails to present a *prima facie* case of obviousness. Likewise, the Terui/Suzuki combination fails to establish *prima facie* obviousness because it fails to teach or suggest all aspects of the present invention, and the other cited references do not supplement the failings of this combination. The

Applicants thus respectfully request that the Examiner reconsider the rejections, and that they be withdrawn.

**The Rejections Under 35 U.S.C. § 103 Should Be Withdrawn**

*1. Rejection of Claims 1, 9, 11, 19, 29, 35, 40, 42, and 44-46  
Over Terui in View of Suzuki*

The Examiner rejected claims 1, 9, 11, 19, 29, 35, 40, 42, and 44-46 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Terui (U.S. Pat. No. 5,903,871) in view of Suzuki (U.S. Pat. No. 5,986,568). The Applicants request that this rejection be withdrawn because Terui and Suzuki, either alone or in combination, neither disclose nor suggest the claimed inventions.

The Examiner acknowledged, and the Applicants agree, that “Terui fails to disclose means for transferring voice data files...”. (Paper no. 14 at page 3). Even if Terui can be read to include header data in association with voice files, Terui simply has no teaching or suggestion that voice data files should be transferred on the basis of the header data.

Nor does Suzuki supplement this deficiency of Terui. The Examiner wrote that Suzuki teaches that “the personal computer reads the header data transferred to the personal computer (column 11, lines 6-12), and uses the header data to determine whether to transfer the corresponding voice data file to the other information processing device (column 22, lines 18-25) ... Wherein the header data that is used to determine to transfer the corresponding voice data file to the other information processing device is indicative of an identity of the portable digital recorder (column 22, lines 58-65).” The Applicants respectfully dispute the Examiner’s interpretation of Suzuki.

At column 11, lines 6-12, Suzuki reads, “An address in a corresponding item is written to each of the headers of the comment file and the file which should be transferred so that items

corresponding to the respective files are linked to each other....” The meaning of this passage can be best understood by reference to the paragraph immediately preceding it. At column 11, lines 1-5, Suzuki reads, “The visiting record work sheet, the comment file and the file which should be transferred are made at each visit so that these data items are linked to each other by information...”. Thus the cited portion of Suzuki only means that different associated files are explicitly associated with one another so that when they are transferred, they are transferred together. There is nothing in these passages that suggests that the destination of the files, where they should be transferred, is based on the information linking them.

At column 22, lines 18-25, Suzuki reads, “...the following various methods are considered as a designating method of the destination. (1) the destination is abstracted and set. Each destination is coded. A destination ID of the file which should be transferred is set by this code on the PDA side and is uploaded to the server device. The server device retrieves a data base and extracts a concrete destination (information of a recipient’s name and a receiver) corresponding to the designated code.” The Applicants respectfully caution that the “destination ID” should not be confused with the “identity of said portable digital audio recorder” recited in the present claims. The “PDA side” that Suzuki mentions merely means that the operations recited happen on the PDA (rather than the computer). It most certainly does *not* refer to any sort of identification of the PDA (which is the basis for routing in some of the claims of the present invention). The only thing that Suzuki is saying in this passage is that the user should explicitly specify a destination ID, i.e., some code that says where the file should be routed. On the computer side is a database which looks up the intended recipient of a file, which the user explicitly entered into the user’s PDA (“on the PDA side”) to explicitly state to whom the file should go. This section of Suzuki makes no mention of a header that contains information that

forms the basis of where the file should be routed, and thus this section of Suzuki simply does not suggest the claimed invention.

At column 22, lines 58-65, Suzuki merely reiterates that the user must explicitly designate where a file should be routed, but makes no mention of routing a file on the basis of information contained in a header file. At column 22, lines 58-65, Suzuki reads, "...the destination ID is developed to the personally allocated ID on the PDA side and is uploaded to the server device. In this case, the PDA checks the overlap-designated person by the abstracted code and the personally allocated ID so as not to doubly register this person. Further, when the destination is this person in charge himself, namely, when a logged-in user ID exists, it is necessary to remove this user ID." This section of Suzuki confirms that a user must explicitly enter a destination ID into his or her PDA in order to specify the intended recipient. Suzuki does not disclose or suggest that the destination ID is at all related to which PDA is being used. Again, the reference to "the personally allocated ID on the PDA side" just means that the user must explicitly enters an ID into the PDA. This has nothing to do with identifying the PDA itself. "PDA side" means that the data is entered by the user *in the PDA*, as opposed to in the *computer*. It does *not* mean "the side panel of the PDA which has an ID number," which the Examiner appears to be reading into it.

With regard to claims 40 *et seq.*, the Applicants respectfully note that the Examiner's rejection appears to have failed to consider the claim recitations "...means for generating recipient data by applying a speech recognition algorithm to digital voice data designated as recipient information by said means for designating ... selecting one of said data processing devices ... on the basis of said recipient data ... and ... transferring to said selected data processing device." Nothing in Terui or Suzuki discloses or suggests that a user can speak

recipient information into a voice recorder, transfer the file to a computer, have the computer perform speech recognition, generate data that specifies the intended recipient, then route the file based on that data. The Examiner simply wrote that in addition to the previous rejection over Terui and Suzuki, "Terui discloses a microphone." (Paper no. 14 at page 5). The Applicants respectfully point out that independent claim 40, as well as its dependent claims, recite more additional elements than just a microphone. With regard to claims 45 and 46, there is no indication in Suzuki that so-called "patient information" is part of a header file; rather it seems to be the substantive matter of the file itself.

The invention provides many benefits not available using the systems and methods of the prior art. For example, many of the possible fields in the headers recited in independent claims 1, 9, 11, 19, 21, 29, and 35 can be automatically generated. Creators of voice files thus need not necessarily explicitly enter information in these fields, yet they can be assured that the voice files will nevertheless be properly routed to the intended recipient(s). Suzuki clearly does not teach or suggest such an invention. Rather, Suzuki requires a user to explicitly enter the identification of intended recipients.

Furthermore, there is nothing in either Terui or Suzuki that would motivate one skilled in this art to combine them. Yet even combined, Terui and Suzuki, individually or in combination, neither disclose nor suggest any method involving data routing on the basis of anything other than an explicit specification of the intended recipients of the data.

2. *Rejection of Claims 8, 18, 26, and 41 Over Terui in View of Suzuki and Salazar*

The Examiner rejected claims 8, 18, 26, and 21 over Terui in view of Suzuki for the same reasons as for the rejection discussed above, and used Salazar (U.S. Pat. No. 5,774,841) to

allegedly supplement the deficiency of Terui in view of Suzuki, which do not disclose that another information processing device is another personal computer. (See Paper no. 14 at page 7 and 11). However, Terui, Suzuki, and Salazar, either alone or in combination, neither disclose nor suggest routing voice data on the basis of information in header files. The combination of Barker and Suzuki do not disclose or suggest this feature of the presently claimed invention for the reasons set forth above. The Examiner has not pointed to anything in any of the cited references that would provide a motivation for those skilled in the art to combine them with Salazar. Nonetheless, Salazar merely teaches an improved voice recognition system which can be trained and operated by voice commands, but does not disclose routing voice data on the basis of information in a corresponding header. Salazar thus cannot supplement the deficiencies of the Terui/Suzuki combination.

3. *Rejection of Claims 10, 20, 21, 23-25, 27, and 36 Over  
Terui in View of Suzuki and Bergeron*

The Examiner rejected claims 10, 20, 21, 23-25, 27, and 36 over Terui in view of Suzuki for the same reasons as for the rejections discussed above, and used Bergeron (U.S. Patent No. 5,033,077) to allegedly supplement the deficiency of Terui in view of Suzuki, which do not disclose that another information processing device is a voice mail system. (See Paper no. 14 at page 8) However, Terui, Suzuki, and Bergeron, either alone or in combination, neither disclose nor suggest routing voice data on the basis of information in header files. For the reasons set forth above, the combination of Terui and Suzuki do not disclose or suggest this feature of the presently claimed invention. The Examiner has not pointed to anything in any of the cited references that would provide a motivation for those skilled in the art to combine the cited references with Bergeron. Furthermore, Bergeron merely teaches a system in which voice mail

routing and routing to a central dictation system are combined in a single message delivery system. However, Bergeron does not disclose using automated data routing; rather Bergeron discloses a human supervisor operator to route data which data may be routed according to criteria other than that required by the claims at issue here. Bergeron thus cannot supplement that deficiencies of the Terui/Suzuki combination.

4. *Rejection of Claims 37-39 Over Terui in view of Suzuki and Barker*

The Examiner rejected claims 37-39 over Terui in view of Suzuki and Barker (U.S. Pat. No. 5,818,800). (See Paper no. 14 at page 12). The Examiner wrote, and the Applicants agree, that the combination "Terui and Suzuki ... fails to disclose a speech recognition algorithm." However, the Examiner incorrectly stated that "Barker teaches applying a speech recognition algorithm to the recipient information to generate recipient data (column 2, lines 1-7)." The Applicants respectfully dispute that Barker contains any such teaching.

The invention allows users to verbally dictate who the intended recipient should be. In independent claims 37 and 40, the computer to which the voice file is transferred applies a speech recognition algorithm to the spoken intended recipient information, and routes the file based on that information. The cited art, including Barker, clearly does not teach or suggest such an invention. The mere fact that Barker discusses speech recognition is not sufficient to suggest the present invention.

At column 2, lines 1-7, Barker reads, "...the computer may contain speech recognition software which analyzes the speech signal and attempts to identify spoken words. If successful, the speech recognition software prepares a list of ASCII characters similar to that prepared by a typist who manually enters text into a word processing system." This is clearly only a

description of speech recognition. But it is equally clear that there is *absolutely no indication whatsoever* of applying speech recognition to recipient information that has been dictated by a user, and routing data files on the basis of the data generated thereby. The Applicants respectfully request that the Examiner reconsider his reading of this passage.

5. *Rejection of Claim 43 over Barker in view of Bergeron and Raji*

The Examiner rejected claim 43 over Barker (U.S. Pat. No. 5,818,800) in view of Bergeron (U.S. Pat. No. 5,033,077) and Raji (U.S. Pat. No. 5,812,882). (See Paper no. 14 at page 14). The Applicants respectfully submit that the Examiner likely intended this rejection to be over the combination of Tarui, Suzuki, and Raji. Nevertheless, even the considering Barker, Tarui, Suzuki, and Raji, alone or in combination, the invention of claim 43 would not have been obvious.

Claim 43 depends from claim 40, and is thus would not have been obvious from the combination of Tarui, Barker, and Bergeron for the reasons set forth above. The Examiner has not pointed to anything in any of the cited references that would provide a motivation for those skilled in the art to combine them. Furthermore, Raji does not supplement the deficiencies of the combination of Tarui, Barker and Bergeron. Raji does not disclose or suggest using speech recognition to generate a header for use by a computer to route a voice data file, nor does anything in the combination of all three cited references.

## II. CONCLUSION

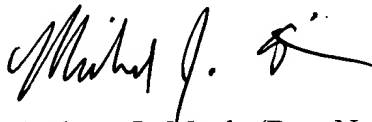
Applicants respectfully suggest that all of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore



respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Stimson", with a stylized flourish at the end.

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